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Mikaela Meggetto
Coroner's Registrar
Coroners Court of Victoria
65 Kavanagh Street
Southbank VIC 3006

By email:
cpuresponses@coronerscourt.vic.gov.au

COR Ref: 2017 005977

Dear Ms Megetto

Finding without inquest into the death of Stephen Caruana

I refer to the findings and recommendations made by Coroner Jamieson in relation to the death of Stephen Caruana, received by WorkSafe Victoria (WorkSafe) on 13 February 2019.

I note that Her Honour recommended WorkSafe:

1. *"review its guidance note on Working Safely with Trees to make specific note of the risks of injury from falling objects such as branches and provide recommendations on suggested control measures to reduce the risk of injury or death";*
2. *"consider developing safety checklists for persons engaged in tree lopping and gardening services to assist workers and employers with identifying risks and hazards of tree trimming and removal work and implementing appropriate risk control measures"; and*
3. *"consider implementing a safety action plan for tree work such as that initiated in New South Wales to promote safe work practices".*

I am pleased to advise that Her Honour's first and second recommendations will be implemented. WorkSafe is currently working on revising the guidance note 'Working Safely with Trees' to specifically address the risk of injury from falling objects, as well as the risk of injury associated with working in close proximity to power lines (in light of the recent electrocution fatality). At the same time WorkSafe is working on developing comprehensive guidance which incorporates content from WorkSafe West Australia's 'Checklists for tree loppers and gardening services' and Safe Work Australia's 'Guide to managing risks of tree trimming and removal work', with the permission of these organisations. The Victorian Tree Industry Association (the principal industry body for tree work in Victoria) and Energy Safe Victoria will be consulted in relation to this guidance. It is anticipated that this work will be completed by the end of May and June respectively and copies of the guidance will be provided to Coroner Jamieson in due course.

WorkSafe respectfully declines to implement Her Honour's third recommendation. WorkSafe considers that the guidance to be developed in response to Her Honour's first and second recommendations, together with its continuing work and consultation with the Victorian Tree Industry Association, sufficiently addresses the hazards and risks faced by persons in the tree work industry. Just recently, on 22 March 2019, WorkSafe attended the Victorian Tree Industry Association's annual 'Arbor Camp' to present on safety issues concerning the tree work industry.

Please do not hesitate to contact Coronial Lawyer, Alexis Hurwitz, on 4243 7223 or coronerscourt@worksafe.vic.gov.au if you require any further information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Clare Amies', written in a cursive style.

Dated: 13/5/19

Clare Amies
Chief Executive
WorkSafe Victoria